

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - A.P.Civil Services (Executive Branch) Rules, 1992 - Promotions of Tahsildars, Section Officers of Secretariat and Superintendents of office of the Special Chief Secretary & Chief Commissioner of Land Administration, Hyderabad as Deputy Collectors as per seniority - Promotions - Accorded - Orders - Issued.

REVENUE (SER.I) DEPARTMENT

G.O. Ms. No. 170

Dated : 17.03.2012.

Read the following :-

1. G.O.Rt.No.215, Revenue(Ser.I)Department, dated : 23.03.2011.
2. G.O.Rt.No.561, Revenue(Ser.I)Department, dated : 17.05.2011.
3. G.O.Rt.No.1750, Revenue(Ser.I)Department, dated : 05.10.2011.
4. From the Spl.CS & Chief Commissioner of Land Administration, Lr.No. D1/1427/2010, dated : 27.08.2011.
5. From the Spl.CS & Chief Commissioner of Land Administration, Lr.No. D1/1427/2010, dated : 02.12.2011.

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ORDER :

In the reference fourth read above, the Spl.CS & Chief Commissioner of Land Administration has informed that Departmental Promotion Committee (Review) was convened on 27.08.2011 at 11.00 AM and considered the names of Sri P.Gopala Rao, Superintendent Grade.I and Smt.S.Bhanusree, Superintendent Grade.I O/o the Spl.CS & Chief Commissioner of Land Administration for inclusion in the panel of Deputy Collectors for the year 2010-11 at City List Roster Point No. 24 and 25 respectively as against the unfilled city list quota vacancies of Deputy Collectors for the panel year 2010-2011 duly deleting the names of Sri B.Tej Sekhar, Superintendent Grade.I, O/o CSS & LR and Smt.A. Seshasayana, Superintendent Grade.I O/o the Spl.CS & Chief Commissioner of Land Administration at City List Roster Point 2 and 9 respectively from the panel of Deputy Collectors for the year 2010-2011 and requested the Government to issue necessary orders in the matter.

2. The Departmental Promotion Committee have informed that the DPC has convened on 27.08.2011 at 11.00 AM in the chambers of Spl.CS & Chief Commissioner of Land Administration to consider promotion to the eligible/qualified Superintendents Grade.I against the unfilled city list quota vacancies of Deputy Collectors (which are arisen due to relinquishment of promotion as Deputy Collector by Smt.A.Seshasayana, Superintendent Grade.I, O/o Spl.CS & Chief Commissioner of Land Administration, Hyderabad and non-joining of Sri P.Tej Sekhar, Superintendent Grade.I, O/o CSS&LR, Hyderabad who were included in the panel of Deputy Collectors for the year 2010-2011 and posted as Deputy Collectors vide G.O.Ms.No.219, Revenue(Ser.I)Department, dated 23.3.2011 and G.O.Ms.No.217, Revenue(Ser.I)Department, dated 23.3.2011 respectively) in terms of the orders issued by the Government vide their G.O.Ms.No.1569, Revenue(Ser.I)Department, dated 29.7.2011. On perusal of the seniority list of Superintendents Grade.I in the O/o Spl.CS & Chief Commissioner of Land Administration and after scrutiny of the ACRs of eligible Superintendents Grade.I, Sri P.Gopala Rao, Superintendent Grade.I and Smt.S.Bhanusree, Superintendent Grade.I, the Departmental Promotion Committee was pleased to consider the names of Sri S.Bhanusree and Sri P. Gopala Rao, Superintendents, Grade.I as fit for inclusion in the panel of Deputy Collectors for the year 2010-11, subject to outcome of orders in WP No. 30925/2010 of Hon'ble High Court and OA No.2828/2011 of Hon'ble A.P.Administrative Tribunal.

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3. In the reference 6th read above, the Spl.CS & Chief Commissioner of Land Administration, Hyderabad has informed that there is no deviation or disobedience of the orders of Hon'ble High Court of A.P., including the name of Sri P.Gopala Rao in the panel of Deputy Collectors for the year 2011-11 and requested to promote him as Deputy Collector in pursuance of the minutes of DPC(Review) dated : 27.8.2011.

4. Sri S.Dayanand, Special Grade Deputy Collector filed OA No.8082/10 in the Hon'ble APAT and the Hon'ble Tribunal in its interim orders dated 19.11.2010 has directed to consider the recommendations of the High Level Committee to accommodate the employees who are likely to be reverted in the available vacancies and the desirability of creating supernumerary posts. Sri S.Dayanand has also filed WP No.29053/10 in the Hon'ble High Court and the Hon'ble High Court in its interim orders in WP MP No.37015/10 dated 01.12.2010 directed the respondents to effect the promotions based on the seniority list but however, shall not review the panel, pending further orders and stated that the adhoc panels of Deputy Collectors from the panel year 1998-99 and onwards have been reviewed.

5. The issue has been examined earlier, in consultation with the Law Department and they have advised that due to interim orders of the Hon'ble High Court, there is no objection to accord promotion to the category of Deputy Collectors, basing on the seniority list issued and not permissible to review the panels of the Deputy Collectors so long as the interim orders are in force. As per advice of Law Department the names of Tahsildars, Section Officers and Superintendents included in the panel of 2010-11 were considered for grant of temporary promotions to the category of Deputy Collectors as per seniority subject to outcome of the court cases.

6. The provisions of Rule 5 of the A.P.State & Subordinate Service Rules, 1996 is as follows :-

"SELECTION POSTS : (a) All first appointments to a State Service and all promotions / appointment by transfer in that service shall be made on grounds on merit and ability, seniority being considered only where merit and ability are approximately equal, by the appointing authority as specified in sub-rule (a) of rule 6 from the panel of candidates. Such panel shall be prepared as laid down in rule 6 by the appointing authority or any other authority empowered in this behalf.

Keeping in view of the above rule position, all promotions to the State services shall be made after approval of the DPC proceedings. In the instant case, it becomes not feasible to approve the DPC proceedings in view of the Hon'ble High Court interim orders dated: 01.12.2010 in WP.MP.No.37015/2010 in WP No.29053/2010. The Law Department has also advised to accord promotion to the category of Deputy Collectors basing on the seniority list.

7. The Government after careful examination and on the analogy of the orders issued in G.O.1st to 3rd read above, hereby accord adhoc promotion to Sri P.Gopala Rao, Superintendent, Grade.I, O/o Spl.CS & Chief Commissioner of Land Administration, as approved by the Departmental Promotion Committee (Review) meeting held on 27.08.2011 at 11.00 AM and furnished by the Spl.CS & Chief Commissioner of Land Administration letter dated 27.08.2011 & 02.12.2011 for the panel year 2010-11 against the unfilled city list quota vacancy of Deputy Collectors, subject to the outcome of orders in OA No. 8082/10, OA No.2828/2011 & WP No.29053/2010, O.A.No.9131/2011, WP MP No. 39336/2010 in WP No. 30925/2010 and pending in the Hon'ble APAT and the Hon'ble High Court respectively and any other cases pending before any court of law and also in relaxation of Rule 6(c) of A.P.State & Subordinate Service Rules.

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8. The posting orders to the individual will be issued separately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL CHANDRA PUNETHA
PRL.SECRETARY TO GOVERNMENT

To
The Spl.CS & Chief Commissioner of Land Administration, Hyderabad.
SF/SC.

// FORWARDED BY ORDER //

SECTION OFFICER